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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,544

11/24/2003

Hung-Yang Chang

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EXAMINER

TASHAKKORI, MITRA

ART UNIT

PAPER NUMBER

2109

MAIL DATE

DELIVERY MODE

06/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/718,544

Applicant(s)

CHANG ET AL.

Examiner

Mitra Tashakkori

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

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DETAILED ACTION

This is in response to the application filed on November 24, 2003, in which claims 1 to 14 are presented for examination.

Status of Claims

Claims 1 to 14 are rejected, of which claims 1 and 8 are in independent form.

Specification

The disclosure is objected to because of the following informalities:

The attempt to incorporate subject matter into this application by reference to 10/662,617 is ineffective because the reference document is not clearly identified as required by 37 CFR 1.57(b)(2)).

The incorporation by reference will not be effective until correction is made to comply with 37 CFR 1.57(b), (c), or (d). If the incorporated material is relied upon to meet any outstanding objection, rejection, or other requirement imposed by the Office, the correction must be made within any time period set by the Office for responding to the objection, rejection, or other requirement for the incorporation to be effective. Compliance will not be held in abeyance with respect to responding to the objection, rejection, or other requirement for the incorporation to be effective. In no case may the correction be made later than the close of prosecution as defined in 37 CFR 1.114(b), or abandonment of the application, whichever occurs earlier.

Any correction inserting material by amendment that was previously incorporated by reference must be accompanied by a statement that the material being inserted is the material incorporated by reference and the amendment contains no new matter. 37 CFR 1.57(f).

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1 recites, *"A system implementing a collaborative development environment among a team of developers, comprising: a monitor that captures user and environment events; a context manager that maintains relationships and resources within contexts; and a viewer that presents collaboration elements based on a current developer context."* The monitor, context manager, and viewer are software components, as is evidenced by the specification (pg. 5, lines 17-23 and pg. 6, lines 3-5), while the preamble is of this claim is directed to the intended use of the system rather than a limitation of the system's structure. The claim as a whole is directed to functional descriptive material without being in combination with a physical medium, and is considered software, per se, and is therefore directed to non-statutory subject matter.

Claims 2-7 are dependent on claim 1, and are therefore also directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ruths et al.

US2003/0018719 A1 (hereinafter referred to as Ruths).

The main objective of the present application is to enable users of a network to collaborate with one another via any application, especially through applications that were not originally designed to be used with one another, and more particularly, to allow a team of software developers to work together on tasks and projects, regardless of their physical locations. Ruths teaches the same objective, and though the specific components and processes differ slightly from the present application, the overall invention is also directed to a infrastructure or platform that allows users to work collaboratively without limiting them to the use of specific software applications (pg. 1, [0006] to [0009]).

As per claim 1, Ruths discloses “A system implementing a collaborative development environment among a team of developers,” as a system “in which a collaborative platform may be provided to facilitate the development and deployment of a collaborative environment. New or existing applications may be layered with the collaborative platform on various local

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environments to create a collaborative environment among multiple participants,” and states that “the collaborative environment may enable multiple entities [...] to work cooperatively to complete a task in a more efficient manner than it might be completed if it were performed non-cooperatively,” (pg.3, [0049]). Ruths explains, “Participant applications, which use the collaborative data, become collaborative via the collaborative platform,” (pg. 3, [0050]). The claim limitation, read in light of the specification, is directed to an environment where team members work may together to complete a task, project, etc. by using collaboration tools without having to change applications or user interfaces, which is primarily incorporated by Ruths. Ruths discloses “*a monitor that captures user and environment events*,” as a feature of the collaborative platform where an application “may provide a ‘window’ to the collaborative objects” and states the application “may be the mechanism through which a user views and/or manipulates collaborative objects,” (pg. 3, [0052]). Ruths describes adapters as one mechanism to interface an application to the collaborative platform, (pg. 5 [0071]) and states that these adapters “may capture application events through hooks into an event model for the application,” where “these hooks may be implemented [...] through a standard API,” (pg. 6, [0073]). Ruths discloses, “*a context manager that maintains relationships and resources within contexts*,” as a part of the collaborative platform, where a connectivity manager “may handle the creation and management of a session manager for each collaborative session,” (pg. 5, [0069]), and where a “session is a connection between two collaborative platforms such that they share some subset of their local environments,” (pg. 4, [0057]). Ruths primarily incorporates contexts within sessions and the collaborative platform, which also includes a session graph that documents the connections between environments (pg. 12, [0113]). Ruths discloses, “*a viewer that presents collaboration elements based on a current developer context*,” as a feature of the collaborative platform which “allows each participant application to view the [resource] according to its own viewing capabilities,” (pg. 7, [0085]) and states that the

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platform may have “different permissions for different participants and resources within the collaborative environment,” (pg. 15, [0139]).

As per claim 2, Ruths discloses, *“The system in claim 1, wherein the monitor and the viewer comprise a collaborative plugin to an integrated development environment that provides a user with tools for use in the development environment,”* as one embodiment of the collaborative platform, where the “collaborative platform may be implemented as a Java plug-in,” (pg. 5, [0059]). As discussed in the analysis of claim 1, the collaborative platform allows preexisting applications to become collaborative, serving essentially the same purpose and providing essentially the same functionality as is described in this claim limitation. Ruths discloses, *“there being a collaborative plugin for each user workstation,”* as a feature of one embodiment of the collaborative platform where each participant includes its own collaborative platform, described as “the mechanism provided on a participant to allow that participant to participate in the collaborative environment,” (pg. 3, [0051]).

As per claim 3, Ruths discloses, *“The system in claim 2, wherein the collaborative plugin further comprises a user interface component adapted to define contexts and collaboration spaces,”* as a feature of the collaborative platform discussed in the analysis of claim 2, where a kernel within the collaborative platform “may manage entry and removal of collaborative data resource representations” and “may maintain a collaborative data resource registration to which collaborative data resources may be registered and unregistered,” (pg. 5, [0067]). Also, the use of a connection graphs (pg. 12, [0112], session graphs (pg. 12, [0113]), and relation graphs (pg. 12, [0114]) allows the platform to maintain information about the resources, which users are connected to each resource, the roles of each resource object, etc. The platform maintains and uses information on participants as well as performs specific operations on resource objects (pg.

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12, [0111]): Ruths states, "During collaboration new content, new applications, new participants, and new resources may all be added at any time," (pg. 7, [0085]).

As per claim 4, Ruths discloses, "*The system in claim 1, wherein the context manager allows a context to be created, allows resources and relationships to be added to and removed from a context, and answers queries about contextual relationships,*" as part of the collaborative platform as described in the analysis of claims 1 and 3.

As per claim 5, Ruths discloses, "*The system in claim 2, further comprising a collaboration manager interfacing with collaborative plugins in a plurality of workstations to facilitate connection between application or development environments to collaboration spaces and collaboration modalities,*" as a feature of the collaborative platform discussed in the analysis of claims 1 and 3. Also, Ruths states, "A collaborative environment [. . .] may be viewed as the abstract collaborative space in which resources and participants may interact with each other. The collaborative environment includes connected local environments, and transcends any one collaborative platform" (pg. 4, [0057]). Thus, the collaboration manager, collaboration modality and collaborative space are each primarily incorporated by Ruths.

As per claim 6, Ruths discloses, "*The system in claim 5, wherein the collaboration modalities include an instant messaging server, a team room server and an e-meeting server,*" as a few of the already existing collaboration capabilities, all of which are generally limited to specialized application interfaces, that become available to any application via the collaborative platform (pg. 1, [0006]).

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As per claim 7, Ruths discloses, *"The system in claim 1, further comprising a collaboration manager that provides life cycle management functions of the collaboration spaces,"* as a feature of the collaborative platform performed by the kernel, as is discussed above in the analysis of claim 3.

As per claim 8, Ruths discloses, *"A computer implemented method to support collaborative development among a team of developers, comprising the steps of: capturing user and development environments; maintaining relationships and resources within contexts; and presenting collaboration elements based on a current developer context,"* as discussed in the analysis claim 1. Claim 8 is directed to a method of managing the system of claim 1.

As per claim 9, Ruths discloses, *"The method in claim 8, further comprising the step of defining contexts and collaboration spaces,"* as discussed in the analysis of claim 3. Claim 9 is directed to a method of managing the system of claim 3.

As per claim 10, Ruths discloses, *"The method in claim 8, wherein the steps of capturing and presenting are implemented by a collaborative plugin to an integrated development environment that provides a user with tools for use in the development environment, there being a collaborative plugin for each user workstation,"* as discussed in the analysis of claims 1 and 3. Claim 10 is directed to a method of managing the system of claims 1 and 3.

As per claim 11, Ruths discloses, *"The method in claim 10, wherein the collaborative plugin further implements a user interface defining contexts and collaboration spaces,"* as

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discussed in the analysis of claim 3. Claim 11 is directed to a method of managing the system of claim 3.

As per claim 12, Ruths discloses, *"The method in claim 8, wherein the step of maintaining relationships and resources within contexts includes the steps of creating a context, adding to and removing from a context resources and relationships, and answering queries about contextual relationships,"* as discussed in the analysis of claim 4. Claim 12 is directed to a method of managing the system of claim 4.

As per claim 13, Ruths discloses, *13. The method in claim 8, further comprising the step of facilitating connection between application or development environments to collaboration spaces and collaboration modalities,"* as discussed in the analysis of claim 5. Claim 13 is directed to a method of managing the system of claim 5.

As per claim 14, Ruths discloses, *"The method in claim 9, further comprising the step of managing the life cycle of collaboration spaces,"* as discussed in the analysis of claim 7. Claim 14 is directed to a method of managing the system of claim 7.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2005/0114789 A1 is the PG-Pubs for another related copending application which also incorporates US application no. 10/662,617 by reference.

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US 2005/0060371 A1 is the PG-Pub for the related application incorporated by reference into the present application.

US 2005/0262128 A1 discloses an invention related in subject matter and has the same assignee and at least one common inventor as the present application. Furthermore, this application has been examined and amended, and that examiner has issued allowance. The references cited on that examiner's PTO-892 citations from the First Action and the Issue of Allowance are incorporated into the record of the present application and are included on the attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Tashakkori whose telephone number is 571-272-9069. The examiner can normally be reached on Mon-Thurs 8:30am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Coby can be reached on 571-272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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PRIMARY EXAMINER